

**ASSEMBLY BILL**

**No. 874**

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**Introduced by Assembly Member Wolk**

February 18, 2005

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An act to add Chapter 5 (commencing with Section 3860) to Part 2 of Division 4 of the Fish and Game Code, relating to wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 874, as introduced, Wolk. Priority bird areas.

Existing law provides for the regulation by the Department of Fish and Game of the taking of various birds species, including prohibiting the taking of certain nongame birds. Existing law also provides for the preservation of certain bird species.

This bill would require the department to recognize priority bird areas, as defined, in the state and publish a list of these areas no later than June 30, 2006. This bill would require the department to cooperate with the Department of Parks and Recreation, other state and local agencies, and nongovernmental organizations to publicize the presence of each priority bird area and would require the department, no later than June 30, 2007, to report to the Legislature its recommendations for public outreach and education about priority bird areas, and the ways the Resources Agency may integrate protection of priority bird areas into resource data and planning decisions.

This bill would make legislative findings and declarations relating to bird species in California, and would express the legislature's intent to officially recognize priority bird areas in California and to collaborate with nongovernmental organizations to publicize and educate the public about those areas.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5 (commencing with Section 3860) is  
2 added to Part 2 of Division 4 of the Fish and Game Code, to read:

3  
4 CHAPTER 5. PRIORITY BIRD AREAS

5  
6 Article 1. General Provisions

7  
8 3860. The Legislature finds and declares all of the following:

9 (a) California has a rich and unique variety of more than 600  
10 bird species that are enjoyed by residents and visitors alike.

11 (b) California's bird population provides significant economic  
12 value from hunting, bird-watching and other recreation, crop  
13 propagation, rodent and insect control, and maintenance of  
14 ecosystem balance, and serves as an important indicator of  
15 ecosystem health.

16 (c) The United States Fish and Wildlife Service estimates that  
17 wildlife-related activities in California generate \$2.6 billion  
18 annually for the state's economy.

19 (d) California has a long and successful history of protecting  
20 bird species for the enjoyment and benefit of all Californians.

21 (e) Scientists have identified the 150 highest priority bird areas  
22 in California, using internationally accepted criteria and  
23 peer-reviewed data.

24 3861. It is the intent of the Legislature to officially recognize  
25 priority bird areas in California and to collaborate with  
26 nongovernmental organizations to publicize and educate the  
27 public about those areas.

28 3862. As used in this Chapter, "priority bird areas" are those  
29 areas identified by the National Audubon Society, using criteria  
30 developed by the American Bird Conservancy, Bird Life  
31 International, and the National Audubon Society, to identify  
32 important bird areas globally. A "priority bird area" is defined as  
33 an area that is less than 100,000 acres in size, that possesses a  
34 bird community that is distinct from the surrounding region, and  
35 satisfies at least one of the following criteria:

- 1 (a) Contains more than 10 percent of the California population  
2 or 1 percent of the global population of a sensitive taxa.  
3 (b) Is used by more than nine protected species as habitat.  
4 (c) Contains more than 10,000 shorebirds total on a single day.  
5 (d) Contains more than 5,000 waterfowl total on a single day.  
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7 Article 2. Priority Bird Area Recognition  
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9 3865. (a) The department shall officially recognize priority  
10 bird areas in the state and publish a list of these areas no later  
11 than June 30, 2006.

12 (b) In recognizing and publishing a list of priority bird areas,  
13 the department may use the identification of priority bird areas  
14 contained in the National Audubon Society's 2004 publication  
15 Important Bird Areas of California or it may develop its own list  
16 according to the criteria for priority bird areas specified in  
17 Section 3862.

18 (c) The department may periodically update, and any person or  
19 entity may petition it to update, the officially recognized list of  
20 priority bird areas if additional areas are found to meet the  
21 criteria or if an existing area no longer meets the criteria.

22 3866. The department shall cooperate with the Department of  
23 Parks and Recreation, other state and local agencies, and  
24 nongovernmental organizations to publicize the presence of each  
25 priority bird area. Publication may include allowing signs and  
26 placards announcing the boundary of a priority bird area, making  
27 written materials about a priority bird area available to the public,  
28 and any other means of informing the public about a priority bird  
29 area.

30 3867. No later than June 30, 2007, the department shall report  
31 to the Legislature its recommendations for public outreach and  
32 education about priority bird areas, and the ways the Resources  
33 Agency may integrate protection of priority bird areas into  
34 resource data and planning decisions.